



New Mexico Environment Department Drinking Water Bureau



State of New Mexico Arsenic Strategy SUMMARY

Background

- On January 23, 2001, the Environmental Protection Agency (EPA) lowered the Arsenic Maximum Contaminant Level (MCL) from 50 parts per billion (ppb) down to 10 ppb.
- The new 10 ppb MCL goes into effect on January 23, 2006.
- The new standard applies to all community water systems and non-transient non-community water systems.
- Ninety Five (95) water systems in New Mexico, representing a population of 756,000, have sampling results in exceedance of the new 10 ppb standard.

Compliance with the New Arsenic Standard

- All affected public water systems (PWS) must comply with the new arsenic standard or obtain an exemption or variance to the new standard by January 23, 2006.
- Compliance Strategies for water systems include blending of existing water sources, obtain a new, low arsenic water source, or installation of treatment technology to lower the arsenic level.
- Most of these options may require significant capital funds and may also increase the operation and maintenance costs for the water system.
- Installation of treatment may also affect the level of certified operator required, the amount of treated water available, and may generate a waste stream that will need to be permitted.

Exemptions and Variances

- An exemption is an extension of time to comply with the new standard. Water systems with a population > 3,300 are limited to a three year extension, smaller systems may re-apply for 3 additional 2 year extensions.
- A variance allows a water system to comply with an alternate MCL for a limited amount of time. Eventual compliance with the new standard will be required.
- Exemptions or variances must be approved by the Department prior to January 23, 2006.
- Both exemptions and variances require the water system to document the need for exemption or variance. See State Arsenic Strategy for further details.

Critical Dates

- September 1, 2004 - Earliest date that a PWS can submit a request for an exemption or variance.
- November 1, 2004 - Date by which a PWS needs to document attempts to obtain funding for compliance with the new arsenic standard.
- July 1, 2005 - Date by which a PWS needs to submit an exemption or variance request to the Department to guarantee a complete review by January 23, 2006.
- January 23, 2006 - Date by which a PWS needs to have an approved exemption or variance if requesting one.
- December 1, 2006 - Latest Date available for compliance sampling for the new arsenic standard for surface water systems.
- December 1, 2007 - Latest Date available for compliance sampling for the new arsenic standard for groundwater systems.